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February 20, 2024

VIA ECF

Hon. Paul A. Engelmayer
United States District Judge
United States District Court
Southern District of New York
40 Foley Square, Courtroom 1305
New York, New York 10007

Re: *Carlyle Aviation Management Limited, et al. v. Frontier Airlines, Inc.*, No. 1:23-cv-04774 (PAE) (S.D.N.Y.) [rel. No. 1:22-cv-02943 (PAE)]

Dear Judge Engelmayer:

We are the attorneys for Plaintiffs in the above-captioned action. Pursuant to Your Honor's Individual Practices Rule 1.E., we write to request that the Court approve a two month extension of the deadline to complete fact discovery, from March 22, 2024 to May 22, 2024. Counsel for Plaintiffs met and conferred with counsel for Defendant Frontier Airlines, Inc.'s ("Frontier" or "Defendant"). Defendant consents to this request. This is the parties' second request for an extension of the deadlines set forth in the Revised Civil Case Management Plan and Scheduling Order, entered on November 22, 2023 (ECF No. 58) (the "Case Management Plan"). A Revised Civil Case Management Plan and Scheduling Order is attached hereto as **Exhibit A**.¹

There is good cause to grant the requested extension. The parties served their requests for production of documents promptly, pursuant to the Case Management Plan. The parties have met and conferred with respect to their responses to the requests for production. Following the Court's December 12, 2023 order, the parties began meeting and conferring regarding proposed search terms and custodians on December 22, 2023, and reached agreement on January 23, 2024. Frontier is in the process of applying these parameters to its collected documents in order to prepare its document productions.² Plaintiffs have made four rolling productions of documents, but

¹ The parties in the related action, No. 22-cv-02943 (PAE), plan to file a request seeking revisions to the discovery schedule that correspond to any schedule approved by the Court in this action.

² Plaintiffs reserve their right to revisit the agreed-upon custodians subject to review of documents produced by Frontier in discovery. Frontier reserves the right to revisit with Plaintiffs any proposed search term that generates outsized or overly burdensome numbers of hits.

Plaintiffs' collection and review of documents has required more time than initially anticipated. Plaintiffs have also noticed six depositions of Frontier employees and agents and one third-party deposition and the parties plan to meet and confer soon about the overall deposition schedule.

In light of the foregoing, counsel for the parties believe that there is good cause to extend the current case management deadlines in this case. The parties agree that the requested extension will not unduly delay this case nor operate as a prejudice against any of the parties.

Set forth in the chart below are the current case management deadlines, pursuant to Civil Case Management Plan and Scheduling Order entered on November 22, 2023, and counsel's jointly-proposed revised deadlines:

<u>Event</u>	<u>Current Deadline</u>	<u>Revised Deadline</u>
Fact Discovery Cut-Off	March 22, 2024	May 22, 2024
Interrogatories to be Served By	February 21, 2024	April 22, 2024
Requests to Admit to be Served By	February 21, 2024	April 22, 2024
Fact Depositions to be Completed By	March 22, 2024	May 22, 2024
Expert Discovery Cut-Off	June 5, 2024	August 7, 2024

We thank the Court for its attention to this matter and are available at the Court's convenience if it has any questions regarding this joint request.

Respectfully submitted,

/s/ Jed M. Schwartz

Jed M. Schwartz

cc: All Counsel of record (via ECF)
Jeff Butler, Esq. (via email)